



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Sent Certified Mail Return Receipt Requested

Mark L. Austrian
Kelley Drye & Warren
3050 K St., NW
Washington, DC 20007

JUN 20 2013

Sent by Email: MAustrian@kelleydrye.com

RE: Freedom of Information Act Request, EPA-HQ-2013-006354

Dear Mr. Austrian:

This is in response to your Freedom of Information Act (FOIA) request dated May 10, 2013. You requested certain applications for Certificates of Compliance (COCs) submitted to the United States Environmental Protection Agency (EPA) by Hensim USA, Corp.

We determined that these applications are exempt from mandatory disclosure under 5 U.S.C. § 552(b)(4) because they contain information that might be claimed as confidential business information. Under 40 C.F.R. § 2.204(d)(1), your request initially is being denied because further inquiry by the EPA is required before a final determination can be made. We will consult with third parties in connection with any business confidentiality claims covering these records, and the EPA's Office of General Counsel will issue a final confidentiality determination.

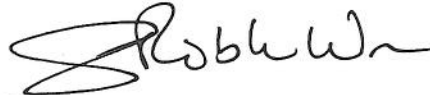
You may appeal this initial denial of your request by writing to the National Freedom of Information Office, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460 (U.S. Postal Service Only), Fax: (202) 566-2147, E-mail: hq.foia@epa.gov. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20004.

Any appeal must be made within 30 days after your receipt of this initial denial. A final confidentiality determination will be made by the EPA's Office of General Counsel whether or not you file an appeal, and you will be notified of the final determination.

You should refer to EPA-HQ-2013-006354 in any further correspondence concerning this matter.

Please contact Evan M. Belser at (202) 564-6850 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Brooks", with a stylized flourish at the end.

for Phillip A. Brooks, Director
Air Enforcement Division